

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1892/88

MR & MRS R BURCHMORE  
WEST LEITH FARM  
TRING  
HERTS

BRIAN BRANWHITE, SURVEYORS  
BARCLAYS BANK CHAMBERS  
65 HIGH STREET  
TRING  
HERTS HP23 4AD

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

West Leith Farm, Tring, Herts.

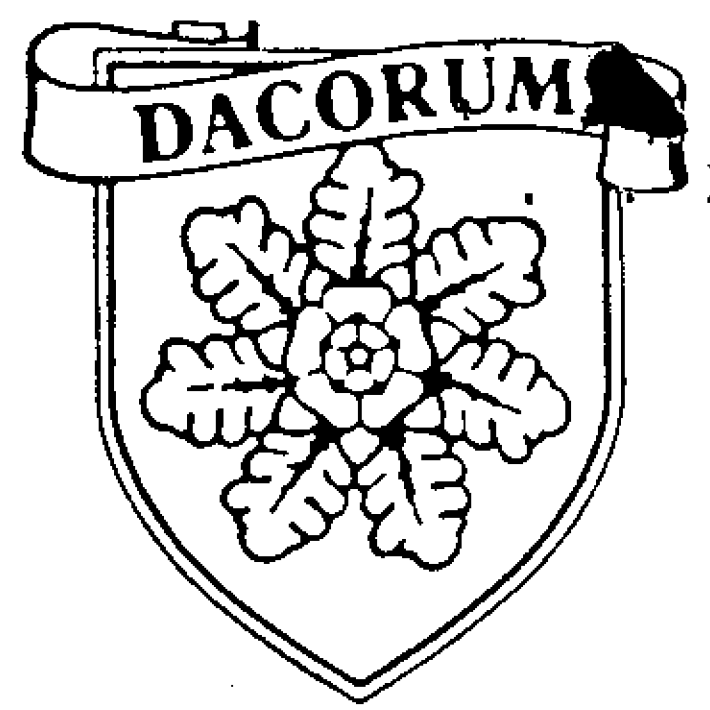
CHANGE OF USE FROM BARNS TO 9 DWELLINGS.

Your application for *planning permission* dated 27.9.1988 and received on 27.9.1988 has been **GRANTED**, subject to any conditions set out on the attached sheets.

Director of Planning.

Date of Decision: 13.4.1992

(encs. - Conditions and Notes).



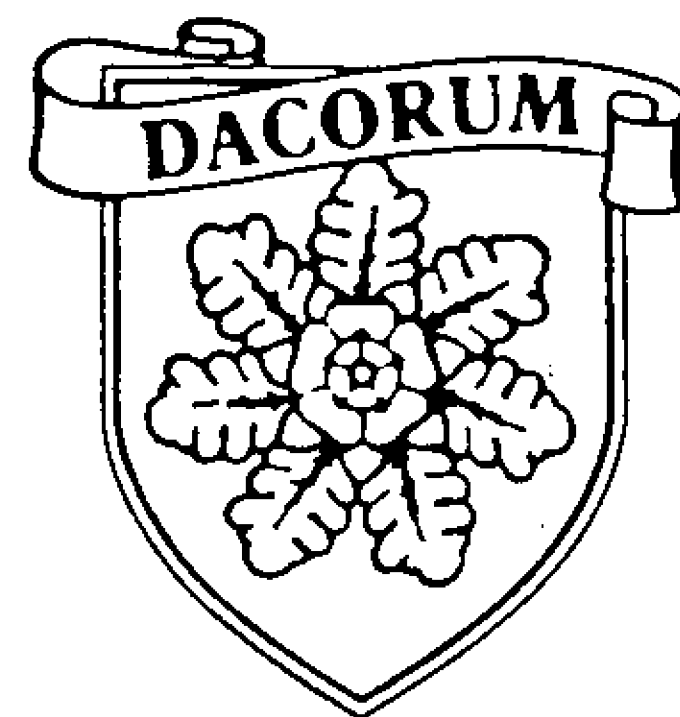
CONDITIONS APPLICABLE  
TO APPLICATION: 4/1892/88

Date of Decision: 13.4.1992

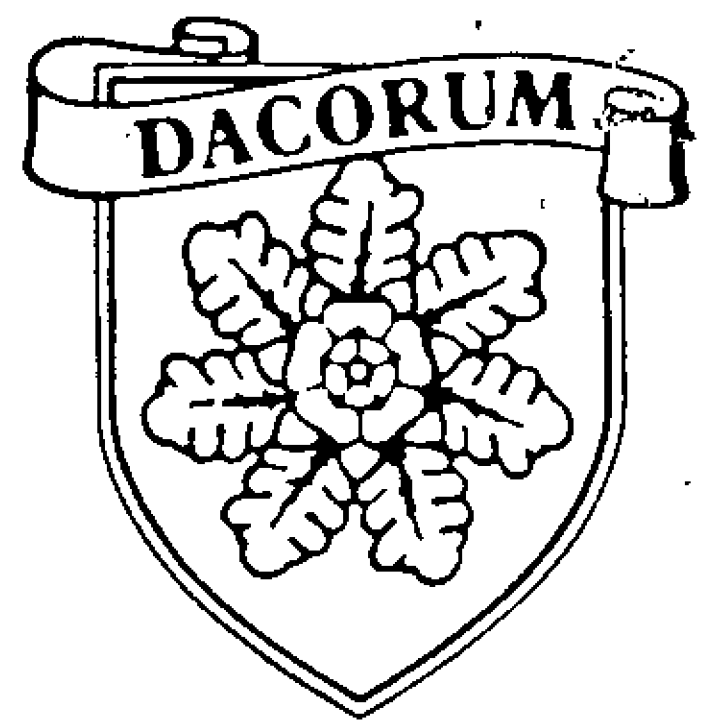
1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.
2. The existing two portal frame buildings shown on Plan No. 4/1892/88 (scale 1:500) shall be removed from the application site within 28 days from the commencement of any work relating to the development hereby permitted.
3. Notwithstanding the provision of the Town and Country Planning General Development Order 1988 Schedule 2 (Part 6 Class A and Part 7 Class A) or any amendment thereto, no works for the erection, extension or alteration of a building shall be carried out within the land edged blue on Plan No. 4/1892/88 (Scale 1:2500) without the express written permission of the local planning authority.
4. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (Schedule 2 Part 1 Classes A to H inclusively and Part 2 Classes A, B and C) there shall be no development carried out, as covered by aforementioned Classes within the application site, as edged red on Plan No. 4/1892/88, without the express written permission of the local planning authority.
5. All new external doors and window frames shall comprise of dark stained wood.
6. All brickwork of the development hereby permitted shall match both in colour and texture that of the existing barns.
7. All roof tiles, including any necessary replacements, shall be of natural slate to match both in colour and texture that of the existing barns.
8. No work shall be started on the development hereby permitted until details of the materials to be used for the surfacing/landscaping of the internal courtyards of the barn complex shall have been submitted to and approved by the local planning authority and the development hereby permitted shall be carried out in the materials so approved.
9. The parking of vehicles shall be restricted to only:
  - (a) the driveways of garages and car port areas within the internal courtyards shown on Drawing A/3166 and coloured green on Plan No. 4/1892/88 (Scale 1:500);
  - (b) the garages serving Units 7 and 8.
10. With the exception of vehicular access to the garages serving Units 7 and 8 of the development Footpath No. 32A which forms the north western boundary of the site shall not be used for either vehicular access to or parking associated with any other residential unit hereby permitted.

CONDITIONS APPLICABLE  
TO APPLICATION: 4/1892/88

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11. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows.
12. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation, and for the purposes of this condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.
13. The landscaping scheme submitted in accordance with Condition 12 shall include the retention of existing boundary vegetation which shall be protected during the period of construction and such part or parts of the vegetation as become damaged shall be replaced within the planting season following the completion of the development.
14. All the existing roof vents all existing internal timbers and the timber fascia boarding of the front entrance shall be retained unless otherwise agreed in writing by the local planning authority.
15. Vehicular access to the respective parts of the site edged red on Plan No. 4/1892/88 (Scale 1:2500) shall be only from the three points from West Leith by arrows on Plan No. 4/1892/88 (Scale 1:500).
16. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 or any amendment thereto no new vehicular access and associated track/driveway shall be formed between the access of the application site edged in red and land edged blue on Plan No. 4/1892/88 (Scale 1:2500) without the express written permission of the local planning authority.
17. The dwellings hereby permitted shall not be occupied until the development, including all parking and garaging arrangements, has been completed fully in accordance with the details shown on the approved plans.
18. None of the land edged red on Plan No. 4/1892/88 shall be used for the storage of agricultural machinery or for other commercial purposes, including equestrian activities.



CONDITIONS APPLICABLE  
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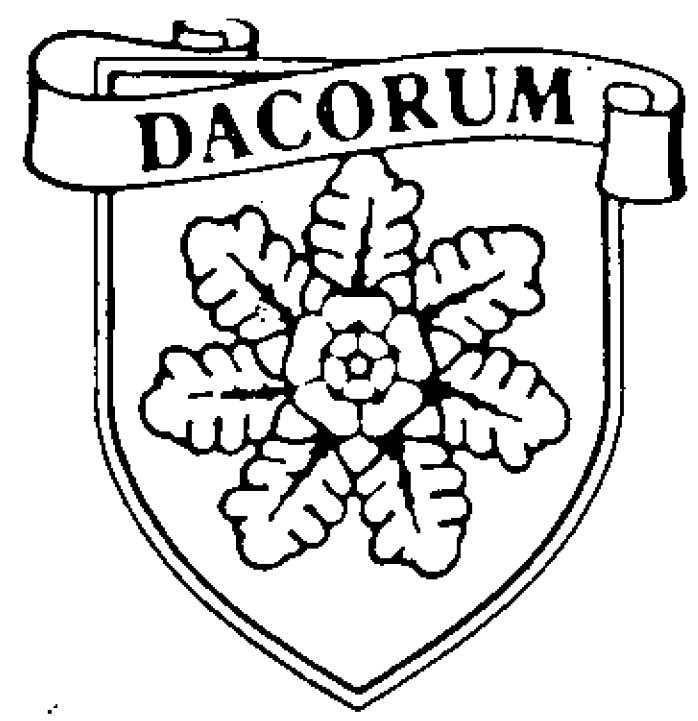
19. The existing buildings within the main courtyard shown coloured purple on Plan No. 4/1892/88 (Scale 1:500) and caravan at the rear of the site shall be removed from the application site within 28 days from the completion of any of the residential units hereby permitted.

**REASONS:**

1. To comply with the provisions of s.91 of the Town and Country Planning Act 1990.
2. To ensure the removal of the buildings upon the commencement of the development in the interest of visual amenity of the locality, residential amenity and to secure the comprehensive redevelopment of the farm complex in this sensitive location.
3. In order to ensure that the local planning authority may retain control over the erection of agriculture and forestry buildings in this sensitive part of the Chilterns Area of Outstanding Natural Beauty. The erection of buildings for such purposes in this location would be likely to detract from the visual amenity of the locality.
4. The conversion of farm buildings to residential is often unacceptable due to the adverse impact that the changes in the appearance of buildings will have upon the original design. The approved scheme ensures that the number of openings and their positioning do not disrupt the overall appearance of the complex of farm buildings, in particular with regard to the elevations and parts of the curtilage which are visible from public vantage points. The removal of 'permitted development' rights will ensure that the local planning authority retains full control over changes to the external appearance of the complex of buildings the erection of curtilage buildings and structures, the erection of fencing and access facilities in the interests of safeguarding the visual amenity of the complex of buildings within the Chilterns Area of Outstanding Natural Beauty.
- 5-9. In the interests of the overall appearance of the complex of buildings and their setting.
10. In the interests of ensuring that there is no conflict between the use of the residential development and users of the public footpath.
- 11-14 In the interests of the overall appearance of the complex of buildings and their setting.
15. For the avoidance of doubt.
16. In order that the local planning authority may retain control in the interests of safeguarding the visual amenity of the Chilterns Area of Outstanding Natural Beauty.

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17. In order that there is adequate parking provision formed to serve the development in the interests of safeguarding the visual amenity of the Chilterns Area of Outstanding Natural Beauty, and in the interests of the overall appearance of the development and its setting and to safeguard residential amenity.
18. In the interests of residential amenity, the visual amenity of the Chilterns Area of Outstanding Natural Beauty and to ensure that there is no conflict between existing uses and the development hereby permitted.
19. To ensure the removal of the buildings upon the commencement of the development in the interest of visual amenity of the locality, residential amenity and to secure the comprehensive redevelopment of the farm complex in this sensitive location.

DATED

22<sup>nd</sup>

August

1991

DACORUM BOROUGH COUNCIL

and

RALPH BURCHMORE

AGREEMENT

pursuant to s.106 Town and Country  
Planning Act 1990 and s.33 Local Government  
(Miscellaneous Provisions) Act 1982 relating  
to land situate at

West Leith Farm  
West Leith  
Tring  
Hertfordshire

KEITH PUGSLEY  
Director of Law and Administration  
Dacorum Borough Council  
Civic Centre  
Marlowes  
Hemel Hempstead  
Hertfordshire  
HP1 1HH

Ref: 1.91/32/126/132/BURCHMORE/NP/TC/BS.6

cT<sub>B</sub>

THIS AGREEMENT is made the *twenty - second* day  
of *August* 1991

BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes  
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the  
Council") of the first part and the Owner described in the First  
Schedule hereto (hereinafter called "the Owner" which expression  
shall include the Owner's successors in title and assigns) of the  
second part

WHEREAS

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 as amended for the area of land described in the First Schedule hereto (hereinafter called "the land") and also a principal Council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is entitled to the interest in the land described in the First Schedule hereto
- (3) The Owner has applied to the Council for planning permission under the Application Number and for the development described in the Second Schedule hereto (hereinafter called "the Development")
- (4) This Agreement is made pursuant to s.106 of the Town and Country Planning Act 1990 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982

NOW THIS DEED WITNESSETH AS FOLLOWS:

1. IN the event that planning permission with or without conditions is granted by the Council or by the Secretary of State for the Environment pursuant to the Application described in The Second Schedule hereto (hereinafter

called "the Application") and the Owner shall proceed to implement such planning permission then this Agreement shall have full force and effect but not otherwise save that Clause 3 (b) hereof shall have full force and effect from the date hereof

2. IN consideration of the Covenants on the part of the Owner contained in the Third Schedule hereto the Council hereby Covenants with the Owner that the Council will forthwith grant planning permission pursuant to the Application subject to the conditions set out in the Fourth Schedule hereto

3. IN consideration of the Council's Covenant contained in Clause 2 hereof the Owner hereby Covenants and undertakes with the Council

(a) to observe and perform the Covenants set out in the Third Schedule hereto

(b) to pay the Council's reasonable costs in the preparation hereof on the execution of this Agreement

4. This Agreement shall be registered as a Local Land Charge

I N W I T N E S S W H E R E O F the parties hereto have (set their hands and seals and) caused their common seals to be hereunto affixed the day and year first before written

FIRST SCHEDULE

The Owner

Name        Ralph Burchmore

Address     West Leith Farm, West Leith, Tring, Hertfordshire



### The Land

All that freehold land at and adjoining West Leith Farm, West Leith, Tring, Hertfordshire and shown edged in red and edged in blue on Plan 'A' annexed hereto

### The Owner's Interest in the Land

Unencumbered fee simple in possession

## SECOND SCHEDULE

### The Application and the Development

Application No.4/1892/88

The Development consists of the conversion of farm buildings to 9 residential units.

## THIRD SCHEDULE

### Covenants on the part of the Owner

The Owner hereby covenants with the Council that he will ensure that the two portal frame buildings shown coloured yellow on Plan 'B' annexed hereto which are required to be removed from the application site by virtue of planning condition number 2 referred to in the Fourth Schedule hereto are not then re-erected on any part of the land as shown edged blue on the said Plan 'A'.

## FOURTH SCHEDULE

### Conditions to be attached to Planning Permission

1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

2. The existing two portal frame buildings shown on Plan No. 4/1892/88 (scale 1:500) shall be removed from the application site within 28 days from the commencement of any work relating to the development hereby permitted.
3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 Schedule 2 (Part 6 Class A and Part 7 Class A) or any amendment thereto no works for the erection, extension or alteration of a building shall be carried out within the land edged blue on Plan No. 4/1892/88 (Scale 1:2500) without the express written permission of the local planning authority.
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5. All new external doors and window frames shall comprise of dark stained wood.
6. All brickwork of the development hereby permitted shall match both in colour and texture that of the existing barns.
7. All roof tiles, including any necessary replacements, shall be of natural slate to match both in colour and texture those of the existing barns.
8. No work shall be started on the development hereby permitted until details of the materials to be used for the surfacing/landscaping of the internal courtyards of

the barn complex shall have been submitted to and approved by the local planning authority and the development hereby permitted shall be carried out in the materials so approved.

9. The parking of vehicles shall be restricted to only:-
  - a) the driveways of garages and car port areas within the internal courtyards shown on Drawing A/3166 and coloured green on Plan No. 4/1892/88 (Scale 1:500).
  - b) The garages serving Units 7 and 8.
10. With the exception of vehicular access to the garages serving Units 7 and 8 of the development Footpath No. 32A which forms the north western boundary of the site shall not be used for either vehicular access to or parking associated with any other residential unit hereby permitted.
11. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, and details of numbers, species and proposed planting location of all new trees, shrubs and hedgerows.
12. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season

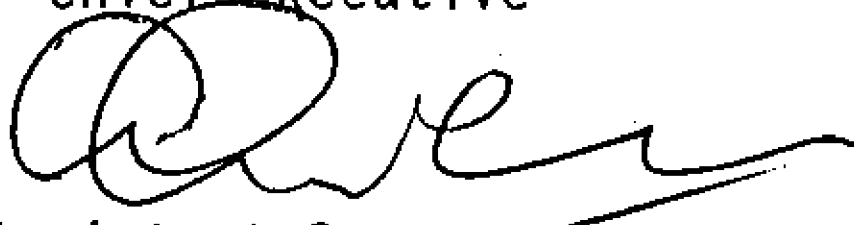
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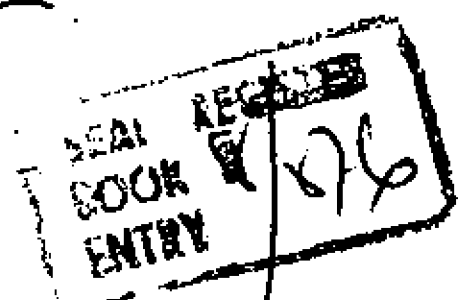
13. The landscaping scheme submitted in accordance with Condition 12 shall include the retention of existing boundary vegetation which shall be protected during the period of construction and such part or parts of the vegetation as become damaged shall be replaced within the planting season following the completion of the development.
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THE COMMON SEAL of  
DACORUM BOROUGH COUNCIL  
was hereunto affixed  
in the presence of:

Keith Hunt  
Chief Executive


  
Assistant Secretary  
(Admin)



SIGNED SEALED and  
DELIVERED by the said  
RALPH BURCHMORE  
in the presence of

}   
}

Witness

  
Name BARBARA JOYCE SHIMMEN  
Address 6 CHESTNUT CLOSE POTTEN END HANTS  
Occupation ACCOUNTANT

1. *Fi.*

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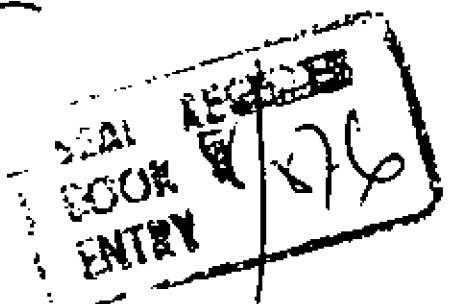


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Occupation

ACCOUNTANT